

# Banning liquor products

Section 38A of the *Liquor Licensing Act 1990* allows the Minister to ban a liquor product or a class of liquor products by prohibiting their sale if the Minister believes it is in the public interest to do so. Currently no liquor products have been declared undesirable.

To ban a product, the Minister declares it to be an **undesirable liquor product** and publishes a notice in the *Gazette* and in a local newspaper. If a person sells an undesirable liquor product they may be fined up to 50 penalty units (\$7 950 for 2017–18). The licensee or permit holder is also guilty and may be fined up to 100 penalty units (\$15 900 for 2017–18).

## What makes a liquor product undesirable?

Any of the following things may cause a product to be considered undesirable.

### The **name, packaging or design**:

- is likely to be attractive to minors;
- is indecent or offensive; and/or
- encourages irresponsible, rapid or excessive consumption.

### The **product**:

- is likely to be confused with soft drinks or confectionary; and/or
- has special appeal to minors.

It is otherwise in the **public interest** to ban it.

For further information contact the Liquor and Gaming Branch.

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